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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,548	02/23/2000	Yoshifumi Maitani	FUJIP0108US	6152

7590 06/18/2003

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EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 06/18/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/511,548

Applicant(s)

MAITANI ET AL.

Examiner

Houshang Safaipoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's amendment filed on March 31, 2003, has been entered and made of record.

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over of Nosaki et al. (U.S. Patent No. 5,099,341) and further in view Kumashiro (U.S. Patent No. 5,864,408).

Regarding claim 1, Nosaki et al. discloses an image reader having a first reference board longer than the length of the said document with respect to the main scanning direction outside the document area (fig. 1). The reading device of Nosaki et al. is not equipped with an Automatic Document Feed (ADF) feature as disclosed by the applicant. However, Kumashiro discloses a reading device that is equipped with both modes of book and sheet scanning (abstract). Therefore, as illustrated by fig. 13, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine the image reader disclosed by Nosaki et al. with that of Kumashiro. The addition of ADF to the device of the Nosaki et al. would enhance the design and would widen the usage of the equipment.

Nosaki et al. discloses an image reader having a second standard white board in an

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external region of an end portion of the document (the arguments stated above are also applicable to this claim limitation).

Nosaki et al. discloses a control section that controls the readout section in such a way that the readout section reads the first standard white board prior to the initiation, of the document read to thereby perform the shading correction, and after the document read has been initiated, said readout section reads the reflected light of the second standard white board, so as to correct the quantity of irradiation light of said readout section, based on the reflected light from said second standard white board (col. 9, lines 16-68). The reading device of Nosaki et al. is not equipped with an Automatic Document Feed (ADF) feature as disclosed by the applicant. However, Kumashiro discloses a reading device that is equipped with both modes of book and sheet scanning (abstract). Therefore, as illustrated by fig. 13, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine the image reader disclosed by Nosaki et al. with that of Kumashiro. The addition of ADF to the device of the Nosaki et al. would enhance the design and would widen the usage of the equipment.

Nosaki et al. discloses an image reader having a second standard white board in an external region of an end portion of the document (the arguments stated above are also applicable to this claim limitation).

Regarding claim 2, Nosaki et al. discloses an image reader having a first reference board longer than the length of the said document with respect to the main scanning direction outside the document area (fig. 1). The reading device of Nosaki et al. is not equipped with an Automatic Document Feed (ADF) feature as disclosed by the applicant. However, Kumashiro discloses a reading device that is equipped with both modes of book and sheet scanning (abstract).

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Therefore, as illustrated by fig. 13, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine the image reader disclosed by Nosaki et al. with that of Kumashiro. The addition of ADF to the device of the Nosaki et al. would enhance the design and would widen the usage of the equipment.

Nosaki et al. discloses an image reader having a second standard white board in an external region of an end portion of the document (the arguments stated above are also applicable to this claim limitation).

Nosaki et al. discloses a control section that controls the readout section in such a way that the readout section reads the first standard white board prior to the initiation, of the document read to thereby perform the shading correction, and after the document read has been initiated, said readout section reads the reflected light of the second standard white board, so as to correct the quantity of irradiation light of said readout section, based on the reflected light from said second standard white board (col. 9, lines 16-68). The reading device of Nosaki et al. is not equipped with an Automatic Document Feed (ADF) feature as disclosed by the applicant. However, Kumashiro discloses a reading device that is equipped with both modes of book and sheet scanning (abstract). Therefore, as illustrated by fig. 13, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine the image reader disclosed by Nosaki et al. with that of Kumashiro. The addition of ADF to the device of the Nosaki et al. would enhance the design and would widen the usage of the equipment.

Regarding claim 3, Nosaki et al. discloses an image reader having a second standard white board in an external region of an end portion of the document (the arguments stated above are also applicable to this claim limitation).

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Regarding claim 4, arguments analogous to those presented for claim 2 are applicable to claim 4.

Regarding claims 5 and 6, arguments analogous to those presented for claim 1 are applicable to claims 5 and 6.


Regarding claim 7, Nosaki et al. discloses and image reader according to claim 1, wherein the readout section comprises a light source for irradiating light to the document, and the control section controls the quantity of irradiation light of the light source based on the reflected light from said second standard white board (col. 3, lines 25-49 and col. 9, lines 16-68).


Regarding claims 8-11, arguments analogous to those presented for claim 7 are applicable to claims 8-11.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-0377.


Houshang Safaipoor
Patent Examiner
Art Unit 2622
June 13, 2003


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